

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-16-T - ORDER NO. 2007-521
AUGUST 2, 2007

IN RE: Application of Darryl Brown d/b/a Elite)	ORDER GRANTING
Transit Service, 312 Griffin Creek Road,)	REINSTATEMENT OF
Gadsden, South Carolina 29052 (District 6))	CERTIFICATE
for a Class C Charter Certificate of Public)	
Convenience and Necessity.)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) by way of a request filed by Darryl Brown d/b/a Elite Transit Service (“Applicant” or “Elite Transit”) to reinstate Class C Charter Certificate of Public Convenience and Necessity (Certificate) No. 7311-A.

A review of the Commission’s records reveals that the original Certificate to render motor passenger service was issued to the Applicant by Commission Order No. 2003-46, dated January 30, 2003. Thereafter, on May 7, 2003, the Commission issued Order No. 2003-301 whereby Certificate No. 7311 was amended by a change in the name appearing on such Certificate to the present name of Darryl Brown d/b/a Elite Transit Service and accordingly, Certificate No. 7311-A was issued.

On April 11, 2007, a Petition for a Rule to Show Cause was filed by the South Carolina Office of Regulatory Staff (ORS) as to why the Certificates of Public Convenience and Necessity of certain carriers should not be revoked for failure to pay the

required fees for licenses and thereby had failed to comply with the statutes governing operations of Motor Vehicle Carriers in South Carolina. The record reflects that Elite Transit was one of the respondents to the Rule to Show Cause for non-payment of license fees.

For those motor carriers who had not responded to the prior notifications of noncompliance, a formal hearing regarding this matter was held on May 23, 2007. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including Elite Transit, should be revoked and cancelled for the violation of failing to pay the required license fees. Accordingly, the Commission issued Order No. 2007-414, dated June 11, 2007, which cancelled Elite Transit's Certificate No. 7311-A.

By application received July 16, 2007, the Applicant requests that Elite Transit's Certificate in question be reinstated. The original Application for certification on file with the Commission provides documentation regarding Elite Transit's stated knowledge of and commitment to abide by all relevant statutes and Commission regulations.

The Commission has reviewed the case before it and after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations, and that prior to such compliance and certification, regulated motor carrier services shall not be provided by the Applicant.

IT IS THEREFORE ORDERED:

1. That Class C Charter Certificate of Public Convenience and Necessity No. 7311-A of Darryl Brown d/b/a Elite Transit Service be, and hereby is, reinstated, subject to compliance with all Commission Rules and Regulations, including payment of all required fees, within sixty (60) days of the date of this Order.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with all applicable statutes and the Commission's Rules and Regulations within sixty (60) days of the date of this Order.

3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, including the requirements of filing with the Office of Regulatory Staff proof of appropriate insurance, the payment of license fees, and such other information required by law within sixty (60) days of the date of this Order or (2) request and obtain from the Commission additional time to comply with the requirements stated above, the motor carrier services authorized by the Certificate shall not be provided.

4. Failure of the Applicant either (1) to complete the certification process by complying with the Commission requirements of causing to be filed with the Office of Regulatory Staff proof of appropriate insurance on forms as approved by the Commission and the payment of license fees and such other information required by law within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in this Order being revoked.

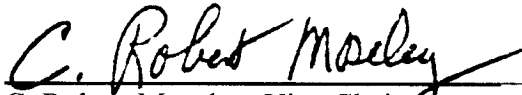
5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)